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Attorney for Plaintiff,
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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ROBERT D. BARNHART,) Case No.: 2:10-cv-01070-RLH-PAL
Plaintiff,)
vs.) PLAINTIFF'S RESPONSE TO
CHEVY CHASE BANK, FSB;) DEFENDANT CAPITAL ONE'S
MORTGAGE ELECTRONIC) MOTION TO EXPUNGE
REGISTRATION SYSTEMS, INC., T.D.)
SERVICE COMPANY; CAPITAL)
ONE, N.A.; et al.)
Defendants.)

COMES NOW THE PLAINTIFF, ROBERT D. BARNHART, AND RESPONDS TO DEFENDANT CAPITAL ONE'S MOTION TO EXPUNGE (Document No. 56, dated December 15, 2010) and incorporates herein by express reference as though fully set forth at length his Omnibus Response (Document No.63, dated January 01, 2011 and filed on January 1, 2011 that includes his Response to the said Motion.¹

¹ Document 63 correction on Page 25 line 2 to read ,“It is more than noteworthy that on Sept. 1, 2010, on an identical set of facts, Judge Navarro . . .”

1 Respectfully submitted,

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3 Dated: January 2, 2011

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5 /s/ Jude E. Nazareth

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CERTIFICATE OF SERVICE

I certify that on this 2nd day of January, 2011, I did serve via Case Management/Electronic Case Filing, a copy of the above and foregoing:

**PLAINTIFF'S RESPONSE TO DEFENDANT CAPITAL ONE'S MOTION
TO EXPUNGE**

Addressed to:

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/s/ Jude E. Nazareth

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